

COURT OF APPEAL OF STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

November 5, 2001

**D037050        People v. Baldwin**

The judgment is affirmed as modified. The trial court shall advise the Department of Corrections of the modification. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

**D036351        CV Ventures, LLC v. County of San Diego**

Order affirmed. Haller, J.; We Concur: Nares, Acting P.J., McIntyre, J.

**D037717        In re Reginald J. et al., Juveniles**

Judgment affirmed. Benke, Acting P.J.; We Concur: Nares, J., O'Rourke, J.

**D038077        People v. Stanfield**

Judgment affirmed. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

**D035520        People v. McCall**

The petition for rehearing is denied.

**D039007        Fan v. Superior Court of San Diego County/Lee et al.**

The petition is denied.

**D034929        People v. Ibarra**

The two conspiracy convictions are stricken. The trial court is directed to issue an amended abstract of judgment. In all other respects, the judgment is affirmed. Kremer, P.J.; We Concur: Huffman, J., Nares, J.

**D038201        Kent v. The Minnesota Mutual Life Insurance Company et al.**

The judgments are affirmed. Kremer, P.J.; We Concur: McIntyre, J., O'Rourke, J.

**D037543        Citizens for Jobs and the Economy et al. v. County of Orange/El Toro Reuse  
Planning Authority et al.**

The petition is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

November 6, 2001

**D034834        McCampbell et al. v. Ralph Grocery Company et al.**

The judgment is affirmed. Huffman, Acting P.J.; We Concur: McIntyre, J., O'Rourke, J.

**D035410        People v. Carrera et al.**

The judgments are affirmed. Kremer, P.J.; We Concur: Huffman, J., Nares, J.

**D038175        In re Jose M., a Juvenile**

The order is affirmed. McDonald, J.; We Concur: Huffman, Acting P.J., McIntyre, J.

**D037180        People v. Ungaro**

The judgment (order granting probation) is affirmed. Huffman, Acting P.J.; We Concur: Haller, J., O'Rourke, J.

COURT OF APPEAL OF STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

November 7, 2001

**D037552      Legrand et al. v. Sycamore Commercial Development Group et al.**

The petition for rehearing is denied. The opinion filed on October 12, 2001, is modified. There is no change in judgment.

**D038606      Michelle B. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

The attorney for petitioner Michelle B. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case as to Michelle B. is dismissed.

**D036939      Roy v. San Diego Auto Recovery, Inc., et al.**

The judgment is affirmed. Auto Recovery is awarded costs on appeal. McIntyre, J.;  
We Concur: Kremer, P.J., O'Rourke, J.

**D038864      In re Buckingham on Habeas Corpus**

The petition for writ of habeas corpus, in re Buckingham D038864, will be considered at the same time as the appeal, People v. Buckingham D037708. A response to the petition is to be filed at the same time as the respondent's brief. Petitioner may reply at the time she files a reply brief. The response and reply to the petition are to be filed as separate pleadings from those filed in the appeal.

**D038465      Philip Morris, Inc., et al. v. Superior Court of San Diego County/Brown**

The petition is denied.

**D036465      De La Pena v. Rental Image II**

Judgment affirmed. Respondent to recover its costs of appeal. Benke, Acting P.J.;  
We Concur: Haller, J., McDonald, J.

**D037585      People v. Carrillo**

The judgment (order denying petition for coram nobis) is affirmed. Huffman, Acting P.J.;  
We Concur: Haller, J., McIntyre, J.

**D036921      In re Marriage of Vallejo**

The order is reversed and the matter is remanded to the trial court for further proceedings in accordance with this opinion. Richard is awarded costs on appeal. McIntyre, J.; We Concur: Kremer, P.J., Huffman, J.

**D035246      People v. Trice**

The trial court is directed to correct the abstract of judgment to reflect that the sentence on count 2 is stayed under section 654 and to forward a copy of the correct abstract to the Department of Corrections. The judgment is otherwise affirmed. O'Rourke, J.; We Concur: Huffman, Acting P.J., McIntyre, J.

**D037540      Margala v. Horwitz et al.**

The two appeals filed on July 5, 2001 are dismissed as untimely.

COURT OF APPEAL OF STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

November 7, 2001 (Continued)

**D037018        Margala v. Murdock et al.**

The remittitur issued May 22, 2001 is recalled. The appeal filed on December 19, 2000 is reinstated.

**D038042        In re G.E. et al., Juveniles**

The judgments are affirmed. Kremer, P.J.; We Concur: Huffman, J., McIntyre, J.

**D038883        In re the Marriage of Chambers**

Pursuant to California rules of Court, rule 19(c), the appeal filed September 21, 2001, is dismissed for appellant's failure to timely designate the record (Cal. Rules of Court, rules 4(a) and 5(a)).

**D037854        People v. Ward**

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 38).

COURT OF APPEAL OF STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

November 8, 2001

**D038606 Michelle B. et al. v. Superior Court of the County of San Diego/San Diego County Health and Human Services Agency**

The attorney for petitioner Darryl C. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

**D038177 Helix Real Estate Investment Trust v City of San Diego et al.**

The appeal is dismissed. Each party shall bear their own attorney fees and costs.

**D036600 Calexico Hospital Management Group, LLC. v. State of California et al.**

The petition for rehearing is denied.

**D039042 W.W.I. Properties, LLC et al. v. Superior Court of San Diego County/Pointe San Diego Residential Community et al.**

The petition is denied.

**D034892 People v. Munoz**

**D036183 People v. Munoz**

The above-numbered appeals are consolidated for disposition. As to appeal No. D034892, Munoz's appeal is dismissed as moot. As to appeal No. D036183, the order is affirmed. O'Rourke, J.;

We Concur: Kremer, P.J., Huffman, J.

COURT OF APPEAL OF STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

November 9, 2001

**D037593        Baumer v. Robinson et al.**

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 17(a).  
The appeal is dismissed.

**D035835        McCormick, Sr. v. The Lightspan Partnership, Inc., et al.**

Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 19(b)).

**D038633        Burris et al. v. Grimes et al.**

The judgment is affirmed. Nares, Acting P.J.; We Concur: Haller, J., McIntyre, J.

**D036715        Dylan W., a Minor, etc. v. Vista Unified School District**

The judgment is reversed. Each side to bear their own costs on appeal. Kremer, P.J.;  
We Concur: McIntyre, J., O'Rourke, J.

**D038816        In re Simmons on Habeas Corpus**

The petition is denied.